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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of : Fazal Syed Raheman  
Serial No.: 09/542,392  
Filing Date: April 4, 2000  
Group Art Unit: 2173  
Attorney Docket No.: 067695.0105  
Examiner: Raymond J. Bayerl  
Title :

**RECEIVED**

MAY 17 2004

**OFFICE OF PETITIONS**

METHOD AND SYSTEM OF CREATING FLOATING  
WINDOWS FOR DISPLAYING SPONSOR  
INFORMATION, MESSAGES OR PROGRAMS IN  
NON-OBTRUSIVE AREAS OF THE GRAPHIC USER  
INTERFACE OF A SOFTWARE APPLICATION

**Petition To Revive Abandoned Application Pursuant to 37 C.F.R. §1.137(a)**

HONORABLE ASSISTANT COMMISSIONER  
FOR PATENTS  
Washington, DC 20231

I hereby certify that this correspondence  
is delivered to the Assistant  
Commissioner of Patents, Washington  
DC 20231, by depositing with FedEx on  
the date shown below and bears the  
tracking no. 8258 2492 5573

Fazal Raheman

May 12, 04

Date of Signature

Sir,

The applicant petitions for revival of his abandoned application of above caption.  
As reasons therefore, he respectfully submits that the applicant reviewed a copy of the  
office action with complete attorney records for the first time on May 3, 2004. On  
account of the unfortunate circumstances (Exhibit C) affirmed under oath (see Exhibit A)  
neither status of the application nor the nature of the office action were accessible to him  
any time during the due date for the reply. Constrained by the circumstances the

applicant tried everything within his means including voluntary help from a friend and associate (Exhibit B) to pursue the prosecution of his pending application.

For the aforementioned reasons “[t]he entire delay in filing the required reply from the due date for the reply - - was unavoidable”, and therefore qualifies for a revival relief pursuant to 37 C.F.R. §1.137(a). As required under subsection (1) of 37 C.F.R. §1.137(a), the instant petition is accompanied by the required reply to the Office Action, and the petition fee as set forth in subsection (2) read with 37 CFR §1.17(1). Accordingly the applicant respectfully prays for allowing the instant petition for revival of the abandoned patent application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Fazal Raheman', with a long horizontal stroke extending to the right.

Fazal Raheman  
C/o Don Mossman  
30 Liberty Hill Dr  
Blackstone, MA 01504  
(508) 883 4722



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Serial No.: 09/542,392  
Filing Date: April 4, 2000  
Group Art Unit: 2173  
Attorney Docket No.: 067695.0105  
Examiner: Raymond J. Bayerl  
Title : METHOD AND SYSTEM OF CREATING FLOATING WINDOWS  
FOR DISPLAYING SPONSOR INFORMATION, MESSAGES OR  
PROGRAMS IN NON-OBTRUSIVE AREAS OF THE GRAPHIC  
USER INTERFACE OF A SOFTWARE APPLICATION

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**AFFIDAVIT OF APPLICANT IN SUPPORT OF HIS PETITION TO REVIVE**

I, Fazal Raheman, the applicant in above cause hereby affirm the following under pains and penalty of perjury:

1. I am the sole inventor of the above captioned invention, which is one of the two patent applications pertaining to the same subject matter. Both applications were first filed Pro Se as provisional applications in 1999, and subsequently since June 2000, prosecuted as non-provisional applications by law firm of Baker Botts LLP, 2001 Ross Avenue, Dallas, TX 75201-2980
2. Since July 9, 2001, I was incarcerated and remained in Bureau Of Prisons custody until I took up the present residence on April 16, 2004. On account of my incarceration my oversees company went out of business leaving no contact for Baker Botts to follow up.
3. Sometime in December 2003 I requested Mr Don Mossman who visited me in prison to check the status of my pending applications with Baker Botts. Mr Mossman had my power of attorney to make legal inquiries on my behalf. While still incarcerated sometime in January 2004, Mr Mossman informed me that both applications are facing abandonment for non-prosecution as Baker Botts had no way to contact me and would not act until retainer is authorized. I requested Mr Mossman to obtain a copy of the entire file from Baker Botts on my behalf so that I can pursue the patents Pro Se. The prosecuting attorney at Baker Botts released the complete file to Mr Mossman sometime in February 2004. On February 18, 2001, I was transferred to BOP's CCF facility in Boston and finally released on April 16, 1994. On or about May 3, 2004, I received a complete set of paperwork pertaining to the said patent applications from Mr Mossman. Under the circumstances beyond my control, there was no conceivable way I could have responded to the Office Action at any time prior to today.

Signed under the pains and penalty of perjury on this the 12<sup>th</sup> day of May 2004.

On this day 11<sup>th</sup> of May 2004 before me  
Personally appeared Fazal Raheman personally  
Appar with identification of US Dept of Justice  
identification to be the person whose name  
is signed on this documentation in my presence.

Fazal Raheman

Barbara J. Jones  
expire: July 5, 2009

**EXHIBIT A**



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Serial No.: 09/542,392  
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**MAY 17 2004**

**OFFICE OF PETITIONS**

WINDOWS FOR DISPLAYING SPONSOR INFORMATION,  
MESSAGES OR PROGRAMS IN NON-OBTRUSIVE AREAS  
OF THE GRAPHIC USER INTERFACE OF A SOFTWARE  
APPLICATION

**AFFIDAVIT OF DONALD MOSSMAN**


I, Donald Mossman, resident of 30 Liberty Hill Dr, Blackstone, MA 01504, affirm that the following is true to the best of my knowledge and belief.

1. The applicant in the above captioned matter is a friend and associate known to me since 1992. During his incarceration I visited him as his friend and well-wisher, at the federal prison facility in Ayer, Massachusetts. Sometime in December 2003 he requested me to contact his patent attorney at Baker Botts in Dallas, Texas. He executed a power of attorney authorizing me to receive legal documents on his behalf. I contacted Attorney Terry Stalford at Baker Botts, who informed me about the status of his pending patents, which I communicated to the applicant. On learning that his patent applications are facing abandonment, the applicant requested me to ask Baker Botts to provide a copy of the papers including the Office Action.
2. Sometime in February 2004 I received the relevant papers from Baker Botts. As applicant did not have a settled mailing address at the time I retained the papers with me until I delivered the complete file to him on May 3, 2004.

Signed under the pains and penalty of perjury on this the 12<sup>th</sup> day of May 2004.

On this day 11<sup>th</sup> May 2004 before me personally appeared Donald Mossman with identification of Massachusetts license to be the person whose name is signed on this documentation in my presence.

  
Donald Mossman

  
Expires: July 5, 2009

**EXHIBIT B**

|                                  |                     |
|----------------------------------|---------------------|
| <b>Federal Bureau of Prisons</b> |                     |
| Inmate Locator                   |                     |
| Search By:                       | Search By:          |
| Identification Number            | First and Last Name |
| faq's                            | how to help         |

Search Criteria:

Register Number: 46236-008

| Inmate Information for FAZAL UR RAHEMAN-FAZAL |                        |
|---|------------------------|
| Inmate Register Number :                      | 46236-008              |
| Name :  | FAZAL UR RAHEMAN-FAZAL |
| Age :   | 47                     |
| Race :  | ASIAN                  |
| Sex :   | MALE                   |
| Date Released :                               | 4/16/04                |

**Americans with Disabilities Act (ADA)Text Links:**  
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[Frequently Asked Questions](#) | [Privacy Notice](#)

EXHIBIT C